

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. William Kirk Johnson

Docket No. 5:21-CR-93-1M

Petition for Action on Supervised Release

COMES NOW Michael Torres, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of William Kirk Johnson, who, upon an earlier plea of guilty to Possession of a Firearm by a Felon, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2), was sentenced by the Honorable Richard E. Myers II, Chief United States District Judge, on October 21, 2021, to the custody of the Bureau of Prisons for a term of 37 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years. William Kirk Johnson was released from custody on June 2, 2023, at which time the term of supervised release commenced.

On June 14, 2023, a Violation Report was submitted advising that on June 5, 2023, the defendant signed a voluntary admission stating that he used marijuana on June 2, 2023. The defendant was verbally reprimanded for his behavior, and he agreed to participate in substance abuse treatment and the Surprise Urinalysis Program to ensure his sobriety. The court agreed to continue the defendant on supervision, with no modifications to the conditions of supervision.

A Petition for Action was submitted to the court on July 7, 2023, as the defendant tested positive for methamphetamine on June 26, 2023. His conditions were modified to include 90 days of Location Monitoring as a punitive sanction for his drug use. Your Honor agreed with the purposed modification and amended the defendant's conditions of supervision.

A Motion for Revocation requesting that a hearing be set was filed on August 7, 2023, as the defendant submitted a drug screen that was positive for methamphetamine on July 21, 2023. Furthermore, the defendant signed a voluntary admission stating that he used methamphetamine on July 29, 2023. A hearing date has not yet been set in this case.

An Amended Motion for Revocation was filed with the court on August 25, 2023, as the defendant submitted a drug screen that was positive for Oxymorphone on August 15, 2023. Furthermore, the defendant attempted to defeat the drug testing screening process at his treatment provider while providing a drug screen. The defendant admitted to using marijuana and methamphetamine on August 17, 2023.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant is currently participating in the Location Monitoring Program. In order to accommodate the defendant's treatment needs, this officer is requesting his Location Monitoring condition be removed once his entry into inpatient treatment is confirmed. The defendant will complete the remainder of his Location Monitoring Program participation once he is released from inpatient treatment.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant's Location Monitoring Program participation may be removed from his conditions of supervision once his inpatient treatment is confirmed by his supervising officer. Upon his completion of inpatient treatment, the defendant shall complete the remainder of his Location Monitoring Program participation.

Except as herein modified, the judgment shall remain in full force and effect.

William Kirk Johnson
Docket No. 5:21-CR-93-1M
Petition For Action
Page 2

Reviewed and approved,


I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dewayne L. Smith
Dewayne L. Smith
Supervising U.S. Probation Officer

/s/ Michael Torres
Michael Torres
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 910-929-0768
Executed On: August 30, 2023

ORDER OF THE COURT

Considered and ordered this 1st day of September, 2023, and ordered filed and
made a part of the records in the above case.


Richard E. Myers II
Chief United States District Judge